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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,588	10/27/2003	Swen Dorrie	INA-PT080 (4134-18-US)	3750

3624 7590 07/18/2005

VOLPE AND KOENIG, P.C.
UNITED PLAZA, SUITE 1600
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

EXAMINER

BINDA, GREGORY JOHN

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 07/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,588

Applicant(s)

DORRIE ET AL.

Examiner

Greg Binda

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9 and 11-25 is/are pending in the application.
- 4a) Of the above claim(s) 22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9,11-21 and 23-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on various is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Election/Restrictions

2. Claim 22 is withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant elected Species II shown in Figs. 14 & 15 and timely traversed the restriction (election) requirement in the reply filed on January 3, 2005.

Drawings

3. The drawings are objected to because:
 - a. Fig. 14 a includes an unnumbered lead line.
 - b. The drawings of the elected species fail to show a “perforated cap”. The detail indicated by numeral 48 in Figs. 14 looks like the cross section of a washer, not a cap, perforated or otherwise.
 - c. Reference numerals 40 & 50 identify two different elements but share a common lead line. That points to a single element.
 - d. In Fig. 15 the reference numeral indicates something other than a “cut-out segment” as described at page 15, line 27.
 - e. Reference character ϕ appears at paragraph 0055, line 23 but not in the drawings
 - f. Reference character $\phi/2$ appears at page 16, line 23 but not in the drawings.

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4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because:
- a. Page 15, line 24, as amended, mentions "the perforated cap" but there is no previous mention of such a cap in this part of the description.
 - b. Page 16, line 2, as amended, includes the term "the clamps 30" but previously the numeral 30 is used to identify clamping bodies, not "clamps".

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6. The specification is objected to as failing to provide proper antecedent basis for the following claimed subject matter: “the clamping rings are formed sheet metal parts “ in the last lines of claims 1 & 9.

Claim Objections

7. The claims are objected to as failing to comply with 37 CFR 1.75(i) because elements of the claims are not separated by line indentation.

Claim Rejections - 35 USC § 112

8. Claims 24 & 25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

- a. Claim 24 recites the limitation, “an actuating element on a perforated cap” in lines 2 & 3. Applicant has not pointed out where this limitation is supported, nor does there appear to be a written description of the limitation in the application as originally filed.
- b. Claim 25 recites the limitation, “the tongue extends longitudinally”. Applicant has not pointed out where this limitation is supported, nor does there appear to be a written description of the limitation in the application as originally filed. It also contradicts claim 24, lines 3 & 4 where the tongue is recited as “protruding radially”.

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9. Claims 5, 13, 18-20 & 23-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. Claims 5, 13, 18 & 23 recite the limitation "the axis of rotation of the clamping rings". There is insufficient antecedent basis for this limitation in the claims.
- b. Claim 24, line 2 recites the limitation. "an actuating element". It is not clear if this element is the same as, or different from the actuator recited in claim 23.
- c. Claim 24, line 3 recites the limitation, "a perforated cap". It is not clear if this cap is the same element as the second retainer recited in claim 9, or is a different part in addition to said second retainer

Claim Rejections - 35 USC § 102

10. Claims 1, 2, 6, 9, 10, 11, 14, 21 & 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Klotz et al, US 5,511,642 (Klotz). Fig. 3 shows a coupling arrangement comprising: a first clamping ring 86; a second clamping ring 90; clamping bodies 106 situated radially between the clamping rings; one clamping ring 86 fitted inside the other clamping ring 90, concentrically with the axis of rotation; a first retainer 108 is provided on the first clamping ring 90; and a second clamping ring 108 is arranged in a fixed manner in a longitudinal direction (see the tang 114) of an axis of rotation, the clamping rings 86, 90 and the clamping bodies 106 are held together in a longitudinal direction of the axis of rotation by the retainers 108. Fig. 4 shows the inner surface of the second clamping ring 90 is grooved around its circumference and

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includes radial ramped shaped projections 96. Figs. 1 & 3 show the clamping rings 86 & 90 are sheet metal parts.

11. Claims 1, 2, 6, 7 & 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Le Calve et al, US 6,161,668 (Clave) (this is the U.S. equivalent of DE 198 07 108). Figs. 7 & 8 show a coupling arrangement comprising: a first sheet metal clamping ring 124; a second sheet metal clamping ring 102, the first ring fitted inside the second; clamping bodies 109 situated radially between the clamping rings; a first retainer 107, 112 provided on at least one of the clamping rings; and a second retainer 108, 113 arranged in a fixed manner in a longitudinal direction of an axis of rotation. Fig. 7 shows the clamping rings 124 & 102 and the clamping bodies 109 are held together in a longitudinal direction of the axis of rotation by the retainers (see also col. 3, lines 32 & 33). Fig. 7 shows the retainers 107, 112 & 108, 113 are spaced apart; each fixed to the first clamping ring 124 in the longitudinal direction; and each has a segment that engages the second clamping ring 102. Fig. 8 shows the second retainer 113 is a perforated cap and Fig. 7 shows the second retainer is located adjacent to the clamping bodies 124, 102 and surrounds the axis of rotation. Fig. 7 shows at least one tongue 113d protruding from the perforated cap 113 engages the second clamping ring 102

12. Claims 1, 4 & 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Ouchi, US 6,394,250 (this is the U.S. equivalent of EP 10 67 303). Fig. 1 shows a coupling arrangement comprising a first sheet metal clamping ring 26; a second sheet metal clamping ring 20 fitted inside the first clamping ring; clamping bodies 29 situated between the clamping rings; a first

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retainer 27a provided on the first clamping ring 26; and a second retainer 24 arranged in a fixed manner in a longitudinal direction of an axis of rotation, the clamping rings and clamping bodies held together in a longitudinal direction by the retainers. Fig. 1 shows the first retainer 27a is a lip made of metal of the first clamping ring 26 and extends at a right angle to the axis of rotation.

Allowable Subject Matter

13. Claims 12, 13 & 18-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

14. Applicant's arguments filed June 17, 2005 have been fully considered but they are not persuasive.

a. Applicant argues that Figs. 14 show "a larger perforation punched" through a disk numbered 48. However, no such "larger perforation" is shown.

b. Applicant argues that reference characters ϕ and $\phi/2$ do not need to appear in the drawings. However, all reference characters must appear in the drawings.

c. Applicant argues that Klotz fails to anticipate the claimed invention because Klotz does not expressly teach manufacturing bearing surfaces from drawing or rolling.

However the argument is unpersuasive because the Klotz does need to make such disclosure in order to read on the claims, since the patentability of a product does not depend on its method of manufacture. See MPEP § 2113.

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d. Applicant argues that Calve fails to anticipate the claims because it fails to teach ramp like projections. However, ramp like projections are not recited in the rejected claims.

As such there is no need for Calve to show or suggest such projections in order to anticipate the claims.

e. Applicant argues that Calve fails to show clamping rings made from sheet metal.

However, as noted in the rejection above, Calve shows sheet metal clamping rings.

f. Applicant argues that Ouchi fails to show sheet metal clamping rings or retainers that are fixedly associated with the clamping rings. However, as noted in the rejection above, Ouchi shows all such features.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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16. This application contains claim 22 drawn to a species nonelected with traverse in the reply filed on January 3, 2005. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Binda whose telephone number is (571) 272-7077. The examiner can normally be reached on M-F 9:30 am to 7:00 pm with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Greg Binda
Primary Examiner
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